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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,868	08/22/2001	Frank Burgel	3864-8	6357
23117	7590	10/25/2005	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			CORRIELUS, JEAN M	
			ART UNIT	PAPER NUMBER
			2162	

DATE MAILED: 10/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/933,868

Applicant(s)

BURGEL ET AL

Examiner

Jean M. Corrielus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 and 11-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 11-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This office action is in response to the amendment filed on August 9, 2005, in which claims 1-5, 11-29 are presented for further examination.

#### ***Response to Arguments***

2. Applicant's arguments filed on August 9, 2005, with respect to the rejection(s) of claim(s) 1-5 and 11-29 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of a new ground of rejection.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-5 and 11-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The word "*substantive*" does not really describe the characteristic of the ser input and it does not add any weight to the claimed language.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-5 and 11-29 are rejected under 35 U.S.C. 102(a) as being anticipated by Kings College London “Photography and Design services”.

As to claim 1, Kings College London discloses a software solution for creating a fully electronic poster. Kings College London states that a poster is an advertisement for your ideas, findings and techniques and needs to attract readers from a distance in a sea of other displays. Using a poster template from the web site, Kings College London discloses the claimed “enabling a user to input user-selected design parameters for a scientific poster” by having users to selected their own design parameters using the poster templates, wherein each template is a pre-designed, large-format PowerPoint page set to the average conference poster, the templates vary only in shape and color of the user choice (stage 1, initial design); “generating a sample poster according to the user-selected design parameters and confirming the user-selected design parameters” it is noted a template files for scientific posters is found in the internet by conducting a search in Google for “poster template” and then adding the application name, PowerPoint that allows to create a poster as a single oversized presentation slide (stage 1); “storing user-input substantive data in a dedicated vault and uploading the user-input substantive data” after the pre-designed poster template ha been created, it uploaded in the internet for future use (stage 2); “building an image of the scientific poster according to the user-selected design parameters and the user-input

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substantive data” since the poster template can be modified, such a pre-designed poster template is used to create a scientific poster according to the user-selected design parameters (stage 1 and 2); and “delivering the scientific poster according to a desired delivery process including by posting the scientific poster image on an Internet web page a wherein step (d) is practiced by linking designated files from the user's dedicated vault and wherein when one or more of the designated files is modified. step (d) comprises updating the scientific poster image according to the modified files” (once the template is downloaded from the Internet, such template can be modified based on the user preference (stage 1 and 2).

As to claim 2, Kings College London discloses the claimed “wherein step (a) is practiced by enabling the user to input user-selected design parameters including at least one of poster size, orientation, figure placement, resolution, paper type, and colors” (see stage 1 and 2).

As to claim 3, Kings College London discloses the claimed “wherein step (a) is practiced by enabling the user to select a poster size from a plurality of predetermined poster sizes or enabling the user to input a custom poster size” (see stage 1 and 2).

As to claim 4, Kings College London discloses the claimed “wherein step (a) is practiced by providing access to a poster gallery including a plurality of poster samples and enabling the user to input poster design parameters by selecting one of the poster samples” (by having users to selected their own design parameters using the poster templates, wherein each template is a pre-

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designed, large-format PowerPoint page set to the average conference poster, the templates vary only in shape and color of the user choice (stage 1, initial design))

As to claim 5, Kings College London discloses the claimed “between steps (d) and (e), the step of providing the image of the scientific poster to the user for review and effecting any necessary edits according to the user's review” (once the template is downloaded from the internet, such template can be modified based on the user preference (stage 1 and 2).

As to claim 11, Kings College London discloses the claimed “enabling password or ID access to the internet web page” in order to conduct a search to Google for poster templates, one must be granted access to the network.

As to claim 12, Kings College London discloses the claimed “wherein step (e) is practiced by incorporating hyperlinks in the web page that lead to supplementary information” (using the URL link to download poster templates over the internet or by conducting a search in Google for “poster templates” (stage 1 and 2).

As to claims 13-15, the limitations of claims 13 and 14 have been mentioned in the rejection of claim 1 above. In addition, Kings College London discloses the claimed “delivering the scientific poster according to a desired delivery process, wherein step (a) is practiced by enabling the user to input drill-down components of the scientific poster, wherein step (c) is practiced by uploading drill-down component data from the user, and wherein step (d) is practiced by

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incorporating the drill-down components into the scientific poster image and enabling access to the drill-down components through the image” (once the template is downloaded from the Internet, such template can be modified based on the user preference, using the software based solution, PowerPoint (stage 1 and 2)) and “delivering the scientific poster according to a desired delivery process, wherein step (a) is practiced by enabling the user to input dynamic components of the scientific poster, wherein step (c) is practiced by uploading dynamic component data from the user, and wherein step (d) is practiced by incorporating the dynamic components into the scientific poster image and enabling access to the dynamic components through the image” (once the template is downloaded from the Internet, such template can be modified based on the user preference, using the software based solution, PowerPoint (stage 1 and 2)).

As to claims 16-20, Kings College London discloses the claimed “storing data for processing the scientific poster according to searchable database categories” using Google to search for poster templates of a scientific poster (stage 1); “wherein the searchable database categories comprise at least one of author, subject matter, conference, and date (stage 1 and 2)”; “editing the scientific poster image according to user instructions” (once the poster template has been downloaded, a modification of user preference can be establish); and enabling selective access by a plurality of users to the scientific poster image in a collaborative virtual laboratory, wherein the editing step is performed according to an instruction from any of the plurality of users with selective access” (stage 1, 2 and 3).

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As to claims 21-27, the limitations of claim 21-27 have been noted in the rejection of claims 1-5 and 11-20 above. In addition, Kings College London discloses a software solution for creating a fully electronic poster. Kings College London states that a poster is an advertisement for your ideas, findings and techniques and needs to attract readers from a distance in a sea of other displays. Using a poster template from the web site, Kings College London discloses the claimed “enabling users to create scientific posters according to user-selected design parameters and user-input substantive data,” by having users to selected their own design parameters using the poster templates, wherein each template is a pre-designed, large-format PowerPoint page set to the average conference poster, the templates vary only in shape and color of the user choice (stage 1, initial design); ” producing the scientific posters according to user-selected production methods” it is noted a template files for scientific posters is found in the internet by conducting a search in Google for “poster template” and then adding the application name, PowerPoint that allows to create a poster as a single oversized presentation slide (stage 1); “archiving the scientific posters and cross-referencing related scientific posters” after the pre-designed poster template ha been created, it uploaded in the internet for future use (stage 2); “building an image of the scientific poster according to the user-selected design parameters and the user-input substantive data” since the poster template can be modified, such a pre-designed poster template is used to create a scientific poster according to the user-selected design parameters (stage 1 and 2); and “enabling access to the scientific posters via the global network” (once the template is downloaded from the Internet, such template can be modified based on the user preference (stage 1 and 2).



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As to claim 28, Kings College London discloses a computer program running on a user computer that executes input information related to user selected design parameter (see stage 2); a server program running on a server computer system connects to a computer network to build an image of the scientific poster (an application program loaded on the computer network allowing to by having users to selected their own design parameters using the poster templates, wherein each template is a pre-designed, large-format PowerPoint page set to the average conference poster, where the templates vary only in shape and color of the user choice and wherein the scientific posters is found in the internet by conducting a search in Google for "poster template" and then adding the application name, PowerPoint that allows to create a poster as a single oversized presentation slide; and wherein the user input data is stored in a dedicated vault, wherein the designed can be modified (once the template is downloaded from the Internet, such template can be modified based on the user preference (stage 1 and 2).

As to claim 29, the limitations of claim 29 have been noted in the rejection of claim 28 above. It is, therefore, rejected under the same rationale.

Note: It is important to note that the invention as claimed is old and well known in the computer system environment, where scientific poster templates are generated and stored in the network for use. So, the templates files for scientific poster s can be found on the internet by conducting a search in Google for "poster template", wherein each template is a pre-designed, large format PowerPoint page set to the average conference poster size of A0, which the template's text can

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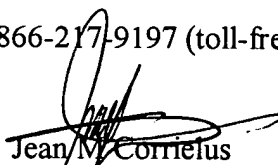
be replaced with user choice by re-typing or cut-and-paste and the figure can be imported using PowerPoint.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032. The examiner can normally be reached on 10 hours shift.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jean M. Corrielus  
Primary Examiner  
Art Unit 2162

October 11, 2005